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Remarks

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2 In response to the Office Action mailed on June 29, 2004, is it noted that a
3 Preliminary Amendment was filed on October 29, 2003, which has not been acknowledged
4 by the Examiner in the above reference Office Action. The changes submitted in the
5 Preliminary Amendment are now repeated in this Amendment.

6 Several errors were recently found in the Specifications on pages 3, 5 and 6, which
7 are hereby corrected.

8 In the Preliminary Amendment, several of the Section 112 errors noted in Claims 1, 3,
9 and 8 by the Examiner were corrected. In addition, Claims 1-4, 6 and 8 are now further
10 amended to more clearly define the invention.

11 1. Rejection of Claims 1 and 3 under 35 U.S.C. 102(b):

12 Claims 1 and 3 were rejected under 35 U.S.C. 102(b) as being anticipated by Cartier
13 (U.S. Patent No. 5,408,816). In response, the Applicant traverses the rejection and asks for
14 reconsideration on the grounds that Cartier does not disclose every limitation recited in
15 Claims 1 and 3.

16 The Applicant's attorney submits that the key features not disclosed in Cartier is the
17 use of an extension arm that is longitudinally aligned with the trimmer's mail pole that
18 extends forward of the trimmer head, and a wheel assembly attached to the distal end of the
19 extension arm. Because the wheel assembly is located in front of the trimmer head, the
20 trimmer head is maintained at a constant elevation when the user walks with the line trimmer.
21 Claim 1 has been amended to more clearly define these structural limitations.

22 In Cartier, the trimmer head is attached to the distal end of a pole (called shaft 12a).
23 Attached at the mid-line axis of the pole 12a tricycle-like carriage, designated 120, used to

1 support the pole 12a. The pole 12a is supported over the carriage 120 by a rotating joint
2 called a holder assembly 40 that allows the user to swing the trimmer head left and right and
3 up and down. The holder assembly is located between the trimmer head and the user and
4 acts as a fulcrum.

5 In contrast to Applicant's device, Cartier's device is more difficult to use because the
6 user must control both the carriage and the pole connected to the line trimmer.

7 The Applicant's attorney submits that Cartier is substantially different than
8 Applicant's device and that does not meet the limitations recited in the Claims.

9 2. Rejection of Claims 2, 4, 8, and 12-13 under 35 U.S.C. 103(a):

10 Claims 2, 4, 8 and 12-13 were rejected under 35 U.S.C. 103(a) as being obvious based
11 on Cartier in view of Smith (U.S. Patent No. 5,287,683). According to the Examiner, Cartier
12 discloses the invention recited in 2 and 8 except for the wheel locks. In response, the
13 Applicant disagrees.

14 As discussed above, Cartier does not disclose the limitations as suggested by the
15 Examiner. In Claim 2, the wheel assembly is recited as being rotatably attached to the distal
16 end of the extension arm. It is pointed out that the wheel assembly is an intermediate
17 component used to attached the rotating wheel to the distal end of the extension arm. Smith,
18 on the other hand, discloses a line trimmer with a horizontally disposed, large platform
19 attached to the end of the trimmer's elongated handle. The platform is centrally aligned
20 around the trimmer head with a side opening formed thereon that allows the line on the
21 trimmer head to cut vegetation. Attached to the platform are three wheels designed to
22 support the trimmer head on the ground. During use, the platform is designed to partially
23 rotated around the trimmer head and the three wheels are designed to freely rotated on the

1 platform. When the user 'sweeps' the trimmer back and forth over the ground to rapidly cut
2 weeds, the wheels may be locked in position to facilitate the 'sweeping' action. In order to do
3 so, however, the platform MUST be free to partially rotate on the pole.

4 According to the Examiner, it would be obvious to provide wheels in Cartier with the
5 locks disclosed in Smith in order to facilitate operation of Cartier. The Applicant submits
6 adding locks to Cartier would substantially change the nature and operation of the trimmer,
7 and that it is unclear how such locks would facilitate its operation.

8 In order to meet Claims 1 and 8, Cartier's auxiliary wheel assembly 30 would have to
9 be altered to rotate on the main pole 120. Currently, the wheel assembly 30 is fixed on the
10 main pole 120 because its two wheels to support the device on the ground as the trimmer
11 head is swept back and forth and moved up and down. No suggestion is made in Cartier in
12 support of this modification. If the wheel assembly 30 were modified to rotate as suggested
13 by the Examiner, the Applicant's attorney submits that operation of the device would be more
14 difficult and not facilitated. While it is possible to provide a lock to selectively fix the wheel
15 assembly in position on the main pole, there is no logical reason to do so without first
16 modifying the wheel assembly 30. Merely because a modification may be done, is not
17 sufficient reasoning to support a finding of obviousness. For this reason, the Examiner
18 argument should be withdrawn.

19 The tentative allowability of Claims 5-7 and 9-11 is acknowledge. Amendment of
20 these claims is temporarily suspended pending reconsideration of Claims 1 and 8.

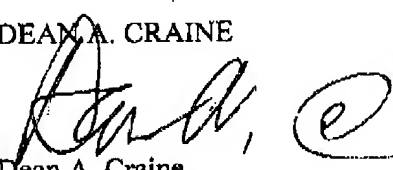
21 In the Abstract, changes are made to more clearly describe the invention.

22 For all of the above reasons, the pending claims should now be considered allowable.
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Respectively submitted,

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